REMARKS

This Amendment After Final is filed in response to the Office Action mailed Oct 30, 2007. The Applicant respectfully requests reconsideration in light of the below discussion. All objections and rejections are respectfully traversed.

Claims 1-20 are pending in the case.

No claims have been added or amended.

Claim Rejections - 35 U.S.C. §102

At paragraphs 1-12 of the Final Office Action, claims 1-4, 7-15 and 18-20 were rejected under 35 U.S.C. §102(e) over Huang, U.S. Patent Publication No. 2002/0046271 (hereinafter "Huang").

The Applicant's claim 1, representative in part of the other rejected claims, sets forth:

1. In a plurality of intermediate network devices having a plurality of ports for forwarding network messages within a bridged network having a root, the plurality of intermediate network devices organized as a stack, each intermediate network device having a stack port for use in communicating with the other network devices of the stack, a method for efficiently transitioning the ports among a plurality of spanning tree protocol (STP) states, the method comprising the steps of:
   executing the STP at each intermediate network device of the stack so as to assign the stack port of each device to either a Root Port Role or a Designated Port Role, and to assign a non-stack port at a single device of the stack to the Root Port Role;
   transitioning the ports assigned to the Root Port Role and the Designated Port Role to a forwarding STP state;
   designating all non-stack ports at the devices of the stack that provide connectivity to the root, other than the non-stack port assigned to the Root Port Role, *as Alternate Stack Root Ports*;
   transitioning the Alternate Stack Root Ports to a discarding STP state; and

in response to a failure at the non-stack port assigned to the Root Port Role, transitioning a selected one of the Alternate Stack Root Ports from the discarding STP state directly to the forwarding STP state.

Huang discloses an architecture for configuring a number of switching nodes into a stack. *See* abstract. The switching nodes include stack ports and non-stack ports. A "STP (Spanning Tree Protocol) module determines the STP states of the non-stack ports." *See* paragraph 0064. In contrast, "[t]he STP states of stack ports are determined by the Topology Discovery protocol 102." *See* paragraph 0064. Huang's Topology Discovery protocol "develop[s] a complete topology map of the current stack topology" (*see* paragraph 0060) by sending special periodic topology advertisements. *See* paragraph 0049.

First, the Applicant respectfully urges that Huang is silent concerning the Applicant's claimed assigning *"executing the STP at each intermediate network device of the stack so as to assign the stack port of each device to either a Root Port Role or a Designated Port Role."*

While the Applicant executes a spanning tree protocol (STP) to assign a stack port to either a Root Port Role or a Designated Port Role, Huang does not use STP to assign roles to stack ports. Instead, for stack ports Huang turns to a "topology map" and a "topology discovery protocol." Huang specifically at pargraph 0064 "the STP (Spanning Tree Protocol) module determines the STP states of the **non-stack ports**." *See* paragraph 0064 (emphasis added). However, "[t]he STP states of **stack ports** are determined by the **Topology Discovery protocol** 102." *See* paragraph 0064 (emphasis added). This distinction is repeated at paragraph 61 where Hauang states "[t]he STP running at a switching node determines the STP states of its own **non-stack ports**. A switching node **uses its stack tree** to determine the STP state of **each stack port**." The stack tree is constructed from a "topology map" (*see* Huang paragraph 0060) that is constructed by the Topology Discovery protocol (*see* Huang paragraph 0049). Thus, rather than use STP for determining the roles of non-stack ports, Huang's teaches use of an entirely different Topology Discovery protocol.

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Accordingly, the Applicant respectfully urges that Huang teaches away from *"executing the STP at each intermediate network device of the stack so as to assign the stack port of each device to either a Root Port Role or a Designated Port Role."*

Second, while the Applicant claims *"designating all non-stack ports at the devices of the stack that provide connectivity to the root… as Alternate Stack Root Ports,"* Huang does not teach or suggest a special Alternate Stack Root Port role. At page 11 of the Final Office Action, the Examiner alleges the existence STP states and redundant links in Huang's system suggests this feature. Yet, Huang's redundant links are simply placed in the conventional STP blocking state. There is no suggestion that certain of Huang's redundant links should be specially designated to an "Alternate Stack Root Port" role so that they may be directly transitioned to root port role. Accordingly, in the absence of disclosure of such a novel role, the Applicant respectfully requests reconsideration of the rejection.

In summary, the Applicant respectfully urges that Huang is legally insufficient to anticipate the present claims under 35 U.S.C. §102 for the above reasons.

Claim Rejections - 35 U.S.C. §103

At paragraphs 13-15 of the Final Office Action, claims 5, 6, 16 and 17 were rejected under 35 U.S.C. §103(a) over Huang in view of "Admitted Prior Art."
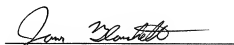
The Applicant notes that claims 5, 6, 16, and 17 are dependent claims that depend from independent claims believed to be allowable for at least the reasons discussed above. Accordingly, claims 5, 6, 16, and 17 are believed to be allowable at least due to such dependency, as well as for other independent reasons.

Should the Examiner believe telephonic contact would be helpful in the disposition of this Application, the Examiner is encouraged to call the undersigned attorney at (617) 951-2500.

In summary, all the independent claims are believed to be in condition for allowance and therefore all dependent claims that depend there from are believed to be in condition for allowance. The Applicant respectfully solicits favorable action.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

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